IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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)	Civil No. 08-990
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)	District Judge Donetta W. Ambrose/
)	Magistrate Judge Robert C. Mitchell
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<u>ORDER</u>

DONETTA W. AMBROSE, United States Senior District Judge.

AND NOW, this _____ day of December, 2014, after Plaintiff having filed Objections to the Response/Briefing Schedule [ECF No. 741], the following ORDER is entered:

Plaintiff having filed a Motion to Vacate the Order on Report and Recommendations, Order on Motion to Strike, Rule 58 Judgment [ECF No. 739] and a Motion to Amend/Correct the Record [ECF No. 740], and because the motion is improperly filed pursuant to Federal Rule of Civil Procedure 59(a)(2) involving further action after a nonjury trial and no such trial having been held in the instant matter, the Court will construe said motion pursuant to Federal Rule of Civil Procedure 59(e) as a Motion to Alter or Amend a Judgment.

IT IS FURTHER ORDERED that Plaintiff's objections to the Response/Briefing Schedule are overruled, as Federal Rule of Appellate Procedure 4(a)(4) stays the time to file an appeal until after the entry of the order disposing of a motion pursuant to Federal Rule of Civil Procedure 59. The Response/Briefing Schedule shall remain in effect.

The Honorable Donetta W. Ambrose United States Senior District Judge